

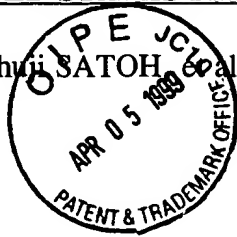
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Shuji SATOH et al.  
PCT/JP97/01084

Serial No.: 09/147,052

Filed: September 25, 1998

FOR:



ATTN: PCT BRANCH

**BEST AVAILABLE COPY**

RESPONSE TO NOTIFICATION TO FILE MISSING REQUIREMENTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

April 5, 1999

Dear Sir:

In response to the Notification to File Missing Requirements dated March 23, 1999, enclosed for filing is an executed Declaration and Power of Attorney the above-identified patent application.

Please note that the \$130.00 surcharge for filing the late Declaration was paid at the time of the initial filing (i.e., September 25, 1998). The fees, enclosed at initial filing on September 25, 1998, were \$1,814.00 (\$930.00 for basic national fee, \$484.00 for total claims, \$270.00 for multiple dependent claims and \$130.00 surcharge for filing a late Declaration). In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340. This paper is filed in triplicate.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI  
McLELAND & NAUGHTON

Le-Nhung McLeland  
Attorney for Applicant(s)  
Reg. No. 31,541

Atty. Docket No. 981167  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930  
LNM/llf

ATTORNEY'S DOCKET NO: 981167

U.S. APPLICATION NO. (if known)	INTERNATIONAL APPLICATION NO. PCT/JP97/01084	DATE: September 25, 1998
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<p>17. <u>X</u> The following fees are submitted:</p> <p><b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b>  Search Report has been prepared by the EPO or JPO:.....\$930.00</p> <p>International preliminary examination fee paid  to USPTO (37 CFR 1.482).....\$720.00</p> <p>No international preliminary examination fee paid  to USPTO (37 CFR 1.482) but international search fee  paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00</p> <p>Neither international preliminary examination fee  (37 CFR 1.482) nor international search fee  (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,070.00</p> <p>International preliminary examination fee  (37 CFR 1.482) and all claims satisfied provisions  of PCT Article 33(2)-(4).....\$ 98.00</p> <p style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>	<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
\$ 930.00		

Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<b>\$ 130.00</b>	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	42 -20=	22	X \$ 22.00	<b>\$ 484.00</b>	
INDEPENDENT	1 - 3=		X \$ 82.00		
Multiple dependent claims(s) (if applicable)			+ \$270.00	<b>\$ 270.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,814.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).					
<b>SUBTOTAL =</b>				<b>\$1,814.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,814.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,814.00</b>	
				Amount to be: refunded	\$ _____
				charged	\$ _____

U.S. APPLICATION NO. (if known)	INTERNATIONAL APPLICATION NO. PCT/JP97/01084	DATE: September 25, 1998
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a. XX A check in the amount of \$1,814.00 to cover the above fees is enclosed.  
(This paper is filed in triplicate)

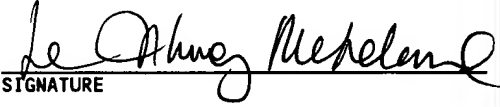
b.      Please charge my Deposit Account No. 01-2340 in the amount of \$      to cover the above fees.  
(A duplicate copy of this sheet is enclosed.)

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2340.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

ARMSTRONG, WESTERMAN, HATTORI  
MCLELAND & NAUGHTON  
1725 K Street, N.W. Suite 1000  
Washington, D.C. 20006  
(202) 659-2930

  
SIGNATURE

Le-Nhung McLeland  
NAME

31,541  
REGISTRATION NUMBER

LNM/yap

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO. 09/147,052	SAITO	FIRST NAMED APPLICANT S	ATTY. DOCKET NO. 981167
		INTERNATIONAL APPLICATION NO. PCT/JP97/01084	
		LA. FILING DATE 03/28/97	PRIORITY DATE 03/29/96
DATE MAILED: 03/23/99			

ARMSTRONG WESTERMAN HATTORI  
MCLELAND & NAUGHTON  
1725 K STREET N W SUITE 1000  
WASHINGTON DC 20006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) Due Apr 123, 1999

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ a non-English language.  
☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of Inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☒ Information Disclosure Statement(s) filed 25 Sep 98 and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation

FORM PCT/DO/EO/917 (December 1997)

PCT International Division  
Patent Specialist  
Telephone: (703) \_\_\_\_\_